



CHRISTOPHER P. GREELEY
PARTNER
Direct Tel: 212.592.1426
Direct Fax: 212.545.3346
Email: cgreeley@herrick.com

December 17, 2015

BY HAND AND ECF

Hon. Shira A. Scheindlin
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007

Re: Overton v. Art Finance Partners LLC (Case No. 15-CV-3927) (SAS)

Dear Judge Scheindlin:

We write together with the Barton firm on behalf of defendants-counterclaim plaintiffs Art Finance Partners LLC, AF Funding LLC, Knickerbocker Funding LLC, Cerulean Art LLC and Andrew Rose (collectively, "Defendants"). Enclosed please find non-redacted versions of Defendants' Memorandum of Law in further support of Defendants' Joint Motion for Partial Summary Judgment and the supporting papers thereto.

As the Court is aware, both Plaintiff and Defendants made summary judgment motions (albeit Defendants' was much more limited). Having received Plaintiff's reply papers in further support of her motion for summary judgment last night, we note that Plaintiff filed a 73-page reply Rule 56.1 Statement addressing Defendants' response to Plaintiff's Rule 56.1 Statement. We do not believe that a reply 56.1 Statement such as submitted by Plaintiff is authorized under this Court's Rules or this District's Local Rules (and there is nothing that could permit 73 pages particularly when this Court previously denied Plaintiff's request to file a 30 page 56.1 statement).

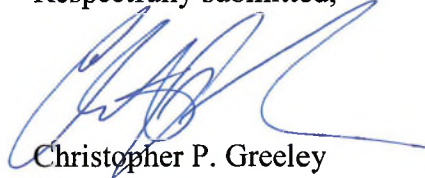
In light of the fact that there is no basis in the Rules to file a reply 56.1 Statement, Defendants have not filed a reply Rule 56.1 Statement in response to Plaintiff's counterstatement submitted in opposition to Defendants' motion for summary judgment. To the extent the Court would find such a reply helpful, Defendants are certainly willing to do so. If the Court wishes such a reply, we would ask for three business days from any order to prepare such a statement. Otherwise, since our reply papers (memorandum of law and declarations) discussed the very few statements in Plaintiff's counterstatement that were relevant to Defendants' motion for summary judgment, Defendants are content to rest on their submissions (understanding that the nothing in Plaintiff's counterstatement shall be deemed admitted).

H E R R I C K

Hon. Shira A. Scheindlin
December 17, 2015
Page 2

We appreciate the Court's consideration.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'CPG', with a long horizontal flourish extending to the right.

Christopher P. Greeley

cc: John Cahill (via ECF)
Paul Cossu (via ECF)
Mathew Hoffman (via ECF)